

**POST-DECISION ON MOTION FOR SUMMARY JUDGMENT August 1998**  
**Monetary Claims**

|   | Mitchell  |   | Czorapinski  |  | Creel   |  | Mullineaux  |  | MSP                     | State of Md.  | Lewis   |
|---|---|---|--|--|---|--|---|--|-------------------------|---|---------|
|   | Official  | Personal  | Official   | Personal   | Official  | Personal   | Official  | Personal   |                         |   |         |
| Count I<br>Equal Protection §1983           | Money damages barred by 11 <sup>th</sup> Am. immunity | Qualified immunity denied - gender discrimination clearly established | Money damages barred by 11 <sup>th</sup> Am. immunity                      | Qualified immunity denied - gender discrimination clearly established                                    | Money damages barred by 11 <sup>th</sup> Am. immunity                     | Qualified immunity denied - gender discrimination clearly established                                    | Money damages barred by 11 <sup>th</sup> Am. immunity                     | Qualified immunity denied - gender discrimination clearly established                                    | Dis-missed              | Money damages barred by 11 <sup>th</sup> Am. immunity |         |
| Count II<br>FMLA/ statute                   | Summary Judgment Granted                              | Summary Judgment Granted  | Denied - FMLA clearly abrogated immunity*                                  | Qualified Immunity for monetary damages; relationship between FMLA & state leave not clearly established | Denied - FMLA clearly abrogated immunity*                                 | Qualified Immunity for monetary damages; relationship between FMLA & state leave not clearly established | Denied - FMLA clearly abrogated immunity*                                 | Qualified Immunity for monetary damages; relationship between FMLA & state leave not clearly established | Dis-missed              | Denied - FMLA clearly abrogated immunity *            |         |
| Count II<br>FMLA §1983                      | Summary Judgment Granted                              | Summary Judgment Granted  | §1983 enforcement not fore-closed by FMLA; consequential damages available | Qualified Immunity for monetary damages - same   | §1983 enforcement not foreclosed by FMLA; consequential damages available | Qualified Immunity for monetary damages - same   | §1983 enforcement not foreclosed by FMLA; consequential damages available | Qualified Immunity for monetary damages - same   | Granted                 |   |         |
| Count II<br>Retaliation                     | Granted   | Granted   | Granted  | Granted  | Granted   | Granted  | Granted   | Granted  | Granted                 | Granted   | Granted |
| Count III<br>Maryland Declaration of Rights | Dismissed by Plaintiff                                | Dismissed by Plaintiff  | Dismissed by Plaintiff   | Dismissed by Plaintiff   | Dismissed by Plaintiff  | Dismissed by Plaintiff   | Dismissed by Plaintiff  | Dismissed by Plaintiff   | Dis-missed by Plaintiff | Dismissed by Plaintiff                                |         |

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